

Serial No.: 09/915,773
Attorney Docket No.: 2S20.1-010

REMARKS

The Office Action mailed September 9, 2004, has been received and reviewed. Claims 1-7 and 9-24 are pending in the application. Claims 15-19 were previously withdrawn from consideration. By the present Response and Amendment, Claims 1, 9, 20, and 24 are amended. No new matter is introduced.

Claims 1, 2, 4, 6, 7, 9, 11, 13, 14, and 20-24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by European Patent No. 0215468 to Fromberg et al. Applicants respectfully traverse this rejection. Nevertheless, to advance prosecution, Applicants have amended independent Claims 1, 9, 20, and 24 to clarify that the lens body is rollable (or foldable) along an axis between first and second flared portions. Fromberg et al. does not disclose, teach, or suggest a lens body that is rollable (or foldable) along an axis between the first and second flared portions. Moreover, Fromberg et al. does not disclose, teach, or suggest an intraocular lens that has a small insertion profile, as claimed in independent Claim 1, 9, and 24. Accordingly, allowance of Claims 1, 9, 20, and 24 is respectfully requested.

Because dependent Claims 2, 4, 6, 7, 11, 13, 14, and 21-23 incorporate the limitations of the corresponding independent claim, these dependent claims are allowable for at least the reasons set forth above for the corresponding independent claim. Thus, as Claims 1, 9, 20, and 24 are allowable, Claims 2, 4, 6, 7, 11, 13, 14, and 21-23 are also allowable. Accordingly, allowance of Claims 2, 4, 6, 7, 11, 13, 14, and 21-23 is respectfully requested.

Claims 9, 11-13, and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,071,432 to Baikoff. Applicants respectfully traverse this rejection.

Serial No.: 09/915,773
Attorney Docket No.: 2S20.1-010

As currently amended, independent Claims 9 and 20 recite an intraocular lens that is foldable along an axis between the first and second flared portions such that there is lower flexure through the flared portion than through the peripheral edge.

Baikoff does not disclose, teach, or suggest an intraocular lens body being foldable along an axis between the first and second flared portions. Therefore, independent Claims 9 and 20 are not anticipated by Baikoff since those claims specifically recite that the lens body be foldable along an axis between the first and second flared portions. Accordingly, allowance of Claims 9 and 20 is respectfully requested.

Because dependent Claims 11-13 incorporate the limitations of Claim 9, these dependent claims are allowable for at least the reasons set forth above for the corresponding independent claim. Thus, as Claim 9 is allowable, Claims 11-13 are also allowable. Accordingly, allowance of Claims 11-13 is respectfully requested.

Claims 1, 2, 4-7, 9, 11-14 and 20-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,468,820 to Uhler et al. in view of U.S. Patent No. 5,476,513 to Brady et al. Applicants respectfully traverse this rejection.

There is no disclosure, teaching, or suggestion in Uhler et al. of folding or rolling the optic, reducing the insertion profile by means of flared portions, let alone a haptic-to-haptic axis for rolling or folding the optic to obtain a reduced insertion profile. The Examiner even concedes that Uhler et al. does not disclose a lens that is foldable. Even if one were to make the Uhler et al. optic out of a flexible material and not a rigid material, for which there is no disclosure, teaching, or suggestion, there would still be no suggestion of a haptic-to-haptic axis for folding or rolling, let alone reducing the insertion profile by means of the reduced thickness of the periphery of the optic in combination with the flared portions. It is pointed out that in the secondary reference, Brady et al., which is cited as showing an optic made of flexible material, the optic is not rolled or folded along a haptic axis but in a direction substantially perpendicular thereto (see Fig. 4). There would also be no reason for one ordinarily skilled in the art to adopt the geometry of the Uhler et al. reference when

Serial No.: 09/915,773
Attorney Docket No.: 2S20.1-010

making the optic of flexible material instead of the reinforced profile structure of Brady et al. especially designed for a flexible optic with all the inherent drawbacks brought out in response to the previous Office Action. Accordingly, allowance of Claims 1, 9, 20, and 24 is respectfully requested.

Because dependent Claims 2, 4-7, 11-14, and 21-23 incorporate the limitations of the corresponding independent claim, these dependent claims are allowable for at least the reasons set forth above for the corresponding independent claim. Thus, as Claims 1, 9, 20, and 24 are allowable, Claims 2, 4-7, 11-14, and 21-23 are also allowable. Accordingly, allowance of Claims 2, 4-7, 11-14, and 21-23 is respectfully requested.

Claims 3 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,468,820 to Uhler et al. in view of U.S. Patent No. 4,725,276 to Bissonette et al. Applicants respectfully traverse this rejection.

Because dependent Claims 3 and 10 incorporate the limitations of the corresponding independent claim, these dependent claims are allowable for at least the reasons set forth above for the corresponding independent claim. Thus, as Claims 1 and 9 are allowable, Claims 3 and 10 are also allowable. Accordingly, allowance of Claims 3 and 10 is respectfully requested.

Serial No.: 09/915,773
Attorney Docket No.: 2S20.1-010

CONCLUSION

In view of the above, it is believed that all grounds of rejection are overcome and that the application has now been placed in full condition for allowance. Accordingly, Applicants earnestly solicit early and favorable action. Should there be any further questions or reservations, the Examiner is urged to telephone Applicants' undersigned attorney at (770) 984-2300.

Respectfully submitted,



Michelle E. Kandcer
Reg. No. 54,207

GARDNER GROFF, P.C.
100 Parkwood Point
2018 Powers Ferry Road
Suite 800
Atlanta, Georgia 30339
Tel: 770/984-2300
Fax: 770/984-0098

\\C:\Client Files\EXD Clients\2220-Gardner\0320.1-010_Rollable Invention Letter Having Reduced Thickness (AppProx10022).pdf (Responses & Amendments to 9-8-04 OA).doc